

PROPOSED CONSTITUTIONAL AMENDMENTS

H.J.R. No. 52, § 2

against the proposition: "The constitutional amendment authorizing the filling of a vacancy in the legislature without an election if a candidate is running unopposed in an election to fill the vacancy."

Passed by the House on March 20, 2001, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 47 on April 23, 2001, by the following vote: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on April 11, 2001, by the following vote: Yeas 27, Nays 2, 1 present, not voting.

Filed with the Secretary of State April 24, 2001.

H.J.R. No. 52

A JOINT RESOLUTION

proposing a constitutional amendment clearing land titles by relinquishing and releasing any claim of sovereign ownership or title to an interest in certain lands in Bastrop County.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Section 2A, Article VII, Texas Constitution, is amended to read as follows:

Sec. 2A. (a) The State of Texas hereby relinquishes and releases any claim of sovereign ownership or title to an undivided one-third interest in and to the lands and minerals within the Shelby, Frazier, and McCormick League (now located in Fort Bend and Austin counties) arising out of the interest in that league originally granted under the Mexican Colonization Law of 1823 to John McCormick on or about July 24, 1824, and subsequently voided by the governing body of Austin's Original Colony on or about December 15, 1830.

(b) *The State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the lands, excluding the minerals, in Tracts 2-5, 13, 15-17, 19-20, 23-26, 29-32, and 34-37, in the A. P. Nance Survey, Bastrop County, as said tracts are:*

(1) shown on Bastrop County Rolled Sketch No. 4, recorded in the General Land Office on December 15, 1999; and

(2) further described by the field notes prepared by a licensed state land surveyor of Travis County in September through November 1999 and May 2000.

(c) Title [~~and title~~] to such interest in the lands and minerals described by Subsection (a) is confirmed to the owners of the remaining interests in such lands and minerals. Title to the lands, excluding the minerals, described by Subsection (b) is confirmed to the holder of record title to each tract. Any outstanding land award or land payment obligation owed to the state for lands described by Subsection (b) is canceled, and any funds previously paid related to an outstanding land award or land payment obligation may not be refunded.

(d) The General Land Office shall issue a patent to the holder of record title to each tract described by Subsection (b). The patent shall be issued in the same manner as other patents except that no filing fee or patent fee may be required.

(e) A patent issued under Subsection (d) shall include a provision reserving all mineral interest in the land to the state.

(f) This section is self-executing.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2001. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment providing for clearing of land

titles by the release of a state claim of its interest to the owners of certain land in Bastrop County."

Passed by the House on April 17, 2001, by the following vote: Yeas 140, Nays 1, 1 present, not voting; passed by the Senate on May 9, 2001, by the following vote: Yeas 29, Nays 0, 1 present, not voting.

Filed with the Secretary of State May 10, 2001.

H.J.R. No. 53

A JOINT RESOLUTION

proposing a constitutional amendment granting the legislature authority to release the state's interest in land that is held by a person in good faith under color of title.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Article VII, Texas Constitution, is amended by adding Section 2B to read as follows:

Sec. 2B. (a) The legislature by law may provide for the release of all or part of the state's interest in land, excluding mineral rights, if:

(1) the land is surveyed, unsold, permanent school fund land according to the records of the General Land Office;

(2) the land is not patentable under the law in effect before January 1, 2002; and

(3) the person claiming title to the land:

(A) holds the land under color of title;

(B) holds the land under a chain of title that originated on or before January 1, 1952;

(C) acquired the land without actual knowledge that title to the land was vested in the State of Texas;

(D) has a deed to the land recorded in the appropriate county; and

(E) has paid all taxes assessed on the land and any interest and penalties associated with any period of tax delinquency.

(b) This section does not apply to:

(1) beach land, submerged or filled land, or islands; or

(2) land that has been determined to be state-owned by judicial decree.

(c) This section may not be used to:

(1) resolve boundary disputes; or

(2) change the mineral reservation in an existing patent.

(d) This section takes effect January 1, 2002. This subsection expires January 2, 2002.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 6, 2001. The ballot shall be printed to permit voting for or